

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Itzhak Bentwich  
App. No.: 10/535,164  
Conf. No.: 2388  
371(c) Date: July 24, 2006

Art Unit: 1645  
Examiner: MARTINELL, JAMES  
Title: BIOINFORMATICALLY DETECTABLE  
GROUP OF NOVEL REGULATORY  
GENES AND USES THEREOF

**PETITION TO ACCEPT AN UNINTENTIONALLY DELAYED PRIORITY CLAIM  
UNDER 35 U.S.C. § 120**

Dear Sir:

Pursuant to 37 C.F.R. § 1.78(a), Applicant respectfully requests that the present petition be granted for claiming benefit under 35 U.S.C. § 120 to the prior-filed U.S. Patent Applications as indicated in the following paragraph, which includes the relationships among the applications:

This is the national stage of International Application No. PCT/IL03/00970, filed November 16, 2003, which is a continuation-in-part of U.S. Patent Application Nos. 10/604,727, filed August 13, 2003; 10/604,985, filed August 29, 2003; 10/604,926, filed August 27, 2003; 10/605,923, filed November 6, 2003; and 10/605,924, filed November 6, 2003. U.S. Patent Application No. 10/604,727 is a continuation of U.S. Patent Application No. 10/604,726, filed August 13, 2003, which is a continuation of U.S. Patent Application No. 10/293,338, filed November 14, 2002. U.S. Patent Application No. 10/604,985 claims the benefit of U.S. Provisional Application No. 60/468,251, filed May 7, 2003. U.S. Patent Application No. 10/604,926 is a continuation of U.S. Patent Application No. 10/345,201, filed January 16, 2003. U.S. Patent Application No. 10/605,923 is a continuation of U.S. Patent Application No. 10/649,653, filed August 28, 2003, which is a continuation of U.S. Patent Application No. 10/321,503, filed December 18, 2002. U.S. Patent Application No. 10/605,924 is a continuation of U.S. Patent Application No. 10/651,227, filed August 29, 2003, which is a continuation of U.S. Patent Application No. 10/310,914, filed December 6, 2002 and issued as U.S. Patent No. 7,250,496 on July 31, 2007.

The priority claim made in the preliminary amendment filed on September 16, 2005 did not include U.S. Application Nos. 10/605,923 or 10/605,924. Additionally, some of the indicated relationships and filing dates were incorrect. The paragraph above corrects these errors.

Applicant states that the entire delay to perfect priority of the instant application to the above-identified US. Patent Applications was unintentional.

Submitted herewith is the requisite fee of \$1410 set forth in 37 C.F.R. § 1.17(t). No other fees are believed to be due in connection with the filing of this paper, however, should any additional fees under 37 C.F.R. § 1.16 to 1.21 be deemed necessary for any reason relating to this document, the Commissioner is hereby authorized to deduct the fees from Deposit Account No. 50-1662 referencing the above-identified docket number. If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of the instant application, the Examiner is encouraged to call the undersigned at the number listed below.

Respectfully submitted,

POLSONELLI SHUGHART PC

Dated: June 10, 2009

On behalf of: **Teddy C. Scott, Jr., Ph.D.**  
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By: /Ron Galant, Ph.D./  
Ron Galant, Ph.D.  
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